

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GUANGFU CHEN et al., :
Plaintiffs, :
-v- : 19-CV-11895 (JMF)
MATSU FUSION RESTAURANT INC et al., :
Defendants. :
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JESSE M. FURMAN, United States District Judge:

Defendants' motion for reconsideration of the Court's November 15, 2022 Order requiring Defendants to pay the cost of one day's attendance of the jurors, *see* ECF No. 226, is DENIED. A motion for reconsideration "is not a vehicle for relitigating old issues, presenting the case under new theories, securing a rehearing on the merits, or otherwise taking a second bite at the apple." *Analytical Surveys, Inc. v. Tonga Partners, L.P.*, 684 F.3d 36, 52 (2d Cir. 2012) (cleaned up).

Here, Defendants not only seek to raise new arguments — they seek to raise arguments that they expressly disclaimed in the settlement agreement, a material term of which was the Defendants would bear any costs imposed pursuant to Local Civil Rule 47.1. Defendants' request to lower the costs imposed is also denied, not only because it too is belated, but also because the relevant costs extend to all jurors who were summoned, not just to those who were seated. If anything, the amount Defendants were ordered to pay is lower than the Court could have ordered, as the Court did not wait to see if any jurors submitted requests for reimbursement of parking and toll costs.

In short, Defendants' motion is DENIED. The Clerk of Court is directed to terminate ECF No. 229.

SO ORDERED.

Dated: November 30, 2022
New York, New York



JESSE M. FURMAN
United States District Judge